

Oversight Division

C o m m i t t e e O n L e g i s l a t i v e R e s e a r c h

Program Evaluation Regional Justice Center Concept

Program Evaluation: Regional Justice Center Concept

*Prepared for the Committee on Legislative Research
by the Oversight Division*

*Jeanne Jarrett, CPA, Director
Rich Villmer, CPA*

February, 2000

TABLE OF CONTENTS

COMMITTEE ON LEGISLATIVE RESEARCH	ii
LETTER OF TRANSMITTAL	iii
PURPOSE	page 1
OBJECTIVES	page 1
SCOPE/METHODOLOGY	page 2
BACKGROUND	page 2
COMMENTS	page 3

COMMITTEE ON LEGISLATIVE RESEARCH

OVERSIGHT SUBCOMMITTEE

THE COMMITTEE ON LEGISLATIVE RESEARCH, Oversight Division, is an agency of the Missouri General Assembly as established in Chapter 23 of the Revised Statutes of Missouri. The programs and activities of the State of Missouri cost approximately \$16 billion annually. Each year the General Assembly enacts laws which add to, delete or change these programs. To meet the demands for more responsive and cost effective state government, legislators need to receive information regarding the status of the programs which they have created and the expenditure of funds which they have authorized. The work of the Oversight Division provides the General Assembly with a means to evaluate state agencies and state programs.

THE COMMITTEE ON LEGISLATIVE RESEARCH is a permanent joint committee of the Missouri General Assembly comprised of the chairman of the Senate Appropriations Committee and nine other members of the Senate and the chairman of the House Budget Committee and nine other members of the House of Representatives. The Senate members are appointed by the President Pro Tem of the Senate and the House members are appointed by the Speaker of the House of Representatives. No more than six members from the House and six members from the Senate may be of the same political party.

PROJECTS ARE ASSIGNED to the Oversight Division pursuant to a duly adopted concurrent resolution of the General Assembly or pursuant to a resolution adopted by the Committee on Legislative Research. Legislators or committees may make their requests for program or management evaluations through the Chairman of the Committee on Legislative Research or any other member of the Committee.

COMMITTEE ON LEGISLATIVE RESEARCH

Representatives:

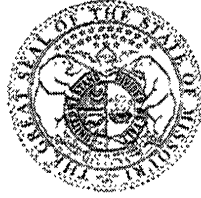
Representative Robert M. Clayton III, Chairman
Representative Richard Franklin
Representative Don Koller
Representative Kenneth Legan
Representative Emmy McClelland
Representative Randall Relford
Representative Delbert Scott
Representative O.L. Shelton
Representative Merrill Townley
Representative Tim VanZandt

Senators:

Senator Harry Wiggins, Vice Chairman
Senator Roseann Bentley
Senator Harold Caskey
Senator Doyle Childers
Senator Ronnie DePasco
Senator Franc Flotron
Senator Wayne Goode
Senator Walt Mueller
Senator Larry Rohrbach
Senator Stephen Stoll

REPRESENTATIVES:
ROBERT M. CLAYTON III
Chairman
RICHARD FRANKLIN
DON KOLLER
KENNETH LEGAN
EMMY McCLELLAND
RANDALL H. RELFORD
DELBERT SCOTT
O.L. SHELTON
MERRILL TOWNLEY
TIM VAN ZANDT

STATE OF MISSOURI



SENATORS:
HARRY WIGGINS
Vice Chairman
ROSEANN BENTLEY
HAROLD CASKEY
DOYLE CHILDERS
RONNIE DePASCO
FRANCIS FLOTRON
WAYNE GOODE
WALT MUELLER
LARRY ROHRBACH
STEPHEN STOLL

COMMITTEE ON LEGISLATIVE RESEARCH

STATE CAPITOL
JEFFERSON CITY, MISSOURI 65101-6806

February, 2000

Members of the General Assembly:

The Joint Committee on Legislative Research adopted a resolution in June, 1999, directing the Oversight Division to perform a program evaluation of the Regional Justice Center Concept which included the examination of records and procedures for the purpose of providing information to the General Assembly for their consideration of proposed legislation, including, but not limited to, appropriation bills.

The accompanying report includes background information and a review of the legal issues related to the implementation of a regional justice center. We hope this information is helpful and can be used in a constructive manner for the betterment of the state program to which it relates.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert M. Clayton III".

Representative Robert M. Clayton III
Chairman

Purpose

The General Assembly has provided by law that the Committee on Legislative Research may have access to and obtain information concerning the needs, organization, functioning, efficiency and financial status of any department of state government or of any institution that is supported in whole or in part by revenues of the state of Missouri. The General Assembly has further provided by law for the organization of an Oversight Division of the Committee on Legislative Research and upon adoption of a resolution by the General Assembly or upon adoption of a resolution by the Committee on Legislative Research, for the Oversight division to make investigations into legislative and governmental institutions of this state to aid the General Assembly.

The Committee on Legislative Research directed the Oversight Division to perform a program evaluation of the Regional Justice Center Concept for the purpose of providing information to the General Assembly regarding proposed legislation and appropriation bills.

Objectives

The Oversight Division's evaluation focused on the objectives noted below:

Reviewing meeting minutes of the Ad Hoc Committee appointed to examine the regional justice center concept.

Reviewing information compiled by the Office of State Courts Administrator.

Reviewing selection criteria for the judicial circuits selected as the prototypes.

Reviewing the request for proposal for a feasibility study of forming regional justice centers in two judicial circuits.

Determining whether the Regional Justice Center concept would conflict with existing constitutional provisions or state statutes.

Determining whether the feasibility study would be expected to provide a comprehensive review of all issues relating to regional justice centers.

Scope/Methodology

Our evaluation included interviewing certain state agency personnel involved with the program, reviewing available information provided by the state agency and Ad-Hoc Committee, consulting with staff attorneys, and researching similar programs in other states.

Our scope was limited to the time period from the inception of the Ad-Hoc Committee, which was formed in 1999, to December 31, 1999.

Background

Justice services in Missouri are largely organized on a county basis. Divisions of the state's trial court, as well as offices of prosecuting attorneys and sheriffs are located in every county. While probation and parole staff and representatives of the State Public Defender's Office do not have offices in every county, they provide services throughout the state. In general, personnel costs for justice agencies are paid by the state. However, sheriffs and their deputies are compensated by the counties in which they work. Operating costs are typically the responsibility of the counties, though offices for probation and parole staff are a state expense.

Issued in December 1995, the *Final Report of the Advisory Commission on the Organization of the Judicial Department* stated that "the transition from county-based operations to centralized operations is inevitable since it will better meet the needs of the people of the state. The Commission recommended that the Office of State Courts Administrator, the Governor's Office, the General Assembly, the Missouri Supreme Court, and interested judicial circuits all work together toward establishing at least one prototype of a justice center in Missouri..., which could then be used as a template toward establishing others."

The Office of State Courts Administrator (OSCA) made application and was awarded a federal/state grant to determine the feasibility and cost of constructing state-of-the-art justice centers in up to two multi-county areas of the state. Awarded on November 12, 1998, the grant consists of \$300,000 federal funds and \$100,000 state funds with a contract period from December 1, 1998 to June 30, 2000.

A justice center is defined as a facility, serving more than one county, which houses multiple organizations/operations associated with the provision of justice services. A

justice center must include a jail; primary court facilities with courtrooms where cases filed in the region would be tried; and offices for judges, court reporters, court personnel, public defenders, and probation and parole staff. The center may include offices for law enforcement, prosecuting attorneys, emergency dispatch services, and juvenile court staff as well as juvenile detention facilities, if needed.

The Missouri Supreme Court appointed a seventeen-member Ad Hoc Committee to examine the regional justice center concept. Presiding judges of the circuit court, presiding county commissioners, and sheriffs were invited to submit joint applications to the Ad Hoc Committee to have their counties selected as study sites for the regional justice center concept. Applications were received from four sites. Selection of the 24th and 28th Judicial Circuits was made by the Missouri Supreme Court.

OSCA, working in conjunction with the Office of Administration - Design and Construction, developed a task listing to aid in the selection of a professional planning firm with the qualifications necessary to best complete the study. A potential planning firm has been selected and its fee proposal has been reviewed. The Office of Administration is currently negotiating the fee with the selected firm.

The selected firm shall research, analyze, and report on the facilities, operations and programs of the justice agencies located in the 24th and 28th Judicial Circuits, and on the feasibility of establishing regional justice centers (in these circuits) designed to address the specific needs/problems identified by the justice system participants in the areas and to achieve recognized standards for facilities, operations, and programs.

The selected firm shall present a work plan and schedule of activities within ten days of award of contract. The schedule shall provide for a completion date for the project no later than June 30, 2000.

COMMENTS

If duties are performed as required by the request for proposal (RFP), the feasibility study should provide the Supreme Court with a comprehensive analysis of the regional justice center concept in the two circuits selected.


From our review of the RFP, it appears that the issues and concerns of those likely to be directly affected by implementation of a regional justice center, including citizens of the

area, local chambers of commerce, members of the local law enforcement and the judicial community, will be taken into account. Analyses in terms of cost, workload/staffing needs, space needs and sentencing practices are required as part of the study. In addition, a comparison of current facilities/operations/programs with identified standards, expressed needs and recommended practices for insuring public safety shall be performed by the selected firm. At a minimum, the new regional justice centers must house a jail, primary court facilities with courtrooms where cases filed in the region would be tried, and offices for judges, court reporters, court personnel, public defenders and probation and parole staff. Staffing and programs are to be recommended based on standards identified in the study. The study shall also include site assessment, recommendation for site selections, estimates of construction costs and a proposal for operation of regional justice centers.

Construction and implementation of a Regional Justice Center should be preceded by the passage of enabling legislation.

A review of applicable constitutional provisions and state statutes suggests changes in the statutes would facilitate the implementation of regional justice centers in Missouri. Necessary changes to existing statutes in order to develop regional justice centers in certain areas of the state would likely be minimal. Such legislation should include a provision requiring a vote of the people in enacting counties. The issue of whether each county would continue to employ a prosecutor, or if a regional prosecutor would replace the county prosecutor(s), would need to be addressed. The constitution provides that each county have a resident associate circuit judge. However, that judge can certainly hold court in the center. Other legal issues to address include the funding of the center, the taxation powers of the region and the leadership of the region.

We acknowledge the assistance of staff from the Office of State Courts Administrator during the evaluation process.


Jeanne Jarrett, CPA
Director, Oversight Division